

Anez, Bob

From: Hegel, Joe
Sent: Wednesday, November 29, 2006 2:48 PM
To: 'gutsche@wildrockies.org'
Cc: Watters, Susan; Larson, John (Court); Bradley, Dorothy; Anez, Bob; Bohlinger, John (Lt. Gov)
Subject: Corrections Advisory Council: Mental Health and Drug Treatment Courts

Representative Gutsche,

I did not attend the last CAC meeting because I did not receive notice of it. I note from the minutes of the last meeting that your subcommittee made the following recommendation:

"Modifying and expanding, particularly in rural areas, the existing system in which district judges operate drug courts and mental health courts to create dual-purpose "treatment courts" capable of handling those with both drug addiction problems and emotional/mental disorders; and as an incentive, providing DOC probation and parole officers when needed. This would address the fact that many offenders experience both afflictions and many of those with mental health problems are reluctant to submit themselves to a "mental health court" because of the stigma."

As far as I am aware, there is only one specific "mental health treatment court" in Montana and that is in Missoula. I have polled the district court judges running drug treatment courts in Montana and have not received any reply indicating that any of them do not accept persons with co-occurring mental health disorders. Judge Watters agreed with this assessment. She stated: "I think every one of our drug court participants has a co-occurring mental health disorder. We don't exclude potential participants because of mental health issues unless they are so severe as to interfere with the tasks/goals of the drug court program."

Judge Larson has not heard of the stigma problem with respect to the Missoula Mental Health Court. He surmises that any stigma might be coming from those outside the courts, and that calling them all treatment courts might solve the problem.

As the presiding judge of a rural Family Treatment Court that encourages the acceptance of persons with co-occurring mental health disorders, I am wondering who is perceiving the cited problem and why they have not discussed this with the judges? Dr. Brenda Roche and I recently presented a continuing education program to the Montana Judges Association on "Co-Occurring Disorders" encouraging the development of better practices when dealing with such persons. I am also wondering what proposed modifications are being contemplated.

Unfortunately, although I had intended on attending tomorrow's meeting, I will not be able to attend because of medical issues. I would, however, hope to be able to at least discuss this regarding this issue before any such recommendations are forwarded to the legislature. Thank you for your consideration.

Joe L. Hegel
District Judge

11/29/2006